

## § 324.11

### § 324.11 Denials.

Only a designated denial authority may deny access. The denial must be in writing.

### § 324.12 Granting individual access to records.

(a) The individual should be granted access to the original record (or exact copy) without any changes or deletions. A record that has been amended is considered the original.

(b) The DFAS component that maintains control of the records will provide an area where the records can be reviewed. The hours for review will be set by each DFAS location.

(c) The custodian will require presentation of identification prior to providing access to records. Acceptable identification forms include military or government civilian identification cards, driver's license, or other similar photo identification documents.

(d) Individuals may be accompanied by a person of their own choosing when reviewing the record; however, the custodian will not discuss the record in the presence of the third person without written authorization.

(e) On request, copies of the record will be provided at a cost of \$.15 per page. Fees will not be assessed if the cost is less than \$30.00. Individuals requesting copies of their official personnel records are entitled to one free copy and then a charge will be assessed for additional copies.

### § 324.13 Access to medical and psychological records.

Individual access to medical and psychological records should be provided, even if the individual is a minor, unless it is determined that access could have an adverse effect on the mental or physical health of the individual. In this instance, the individual will be asked to provide the name of a personal physician, and the record will be provided to that physician in accordance with guidance in Department of Defense 5400.11-R, 'Department of Defense Privacy Program' (see 32 CFR part 310).

## 32 CFR Ch. I (7-1-11 Edition)

### § 324.14 Relationship between the Privacy Act and the Freedom of Information Act.

Access requests that specifically state or reasonably imply that they are made under FOIA, are processed pursuant to the DFAS Freedom of Information Act Regulation. Access requests that specifically state or reasonably imply that they are made under the PA are processed pursuant to this regulation. Access requests that cite both the FOIA and the PA are processed under the Act that provides the greater degree of access. Individual access should not be denied to records otherwise releasable under the PA or the FOIA solely because the request does not cite the appropriate statute. The requester should be informed which Act was used in granting or denying access.

#### APPENDIX A TO PART 324—DFAS REPORTING REQUIREMENTS

By February 1, of each calendar year, DFAS Centers and Financial Systems Organizations will provide the DFAS Headquarters Privacy Act Officer with the following information:

1. Total Number of Requests for Access:
  - a. Number granted in whole:
  - b. Number granted in part:
  - c. Number wholly denied:
  - d. Number for which no record was found:
2. Total Number of Requests to Amend Records in the System:
  - a. Number granted in whole:
  - b. Number granted in part:
  - c. Number wholly denied:
3. The results of reviews undertaken in response to paragraph 3a of Appendix I to OMB Circular A-130<sup>4</sup>.

#### APPENDIX B TO PART 324—SYSTEM OF RECORDS NOTICE

The following data captions are required for each system of records notice published in the FEDERAL REGISTER. An explanation for each caption is provided.

1. *System identifier*. The system identifier must appear in all system notices. It is limited to 21 positions, including agency code, file number, symbols, punctuation, and spaces.

2. *Security classification*. Self explanatory. (DoD does not publish this caption. However, each agency is responsible for maintaining the information.)

<sup>4</sup>Copies available from the Office of Personnel Management, 1900 E. Street, Washington, DC 20415.